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August 9, 2012

VIA ECF

Hon. Kiyo Matsumoto
U.S. District Court Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Lodge v. United Homes et al., 05 CV-187 (KAM)(RLM)

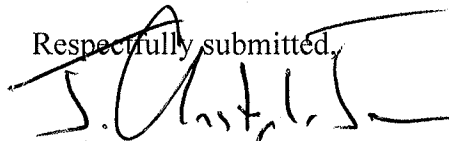
Dear Judge Matsumoto:

We write in response to the Court's August 6, 2012 Order directing plaintiff Mary Lodge to clarify her position on the request of the Bayview defendants to amend and to exclude them from the attorneys' fees judgment entered on August 2, 2012. ECF No. 702.

Ms. Lodge has reached a settlement with the Bayview defendants regarding the mortgage on her premises and counsel have now agreed on the form of a Settlement Agreement. We are merely waiting for the Bayview defendants to forward an executed copy of this Settlement Agreement. Pursuant to the Settlement Agreement, Ms. Lodge has agreed, *inter alia*, to deliver possession of the mortgaged premises to Bayview and to consent to the entry of a judgment of foreclosure in the pending mortgage foreclosure action.

Ms. Lodge has also agreed to withdraw her motion for reconsideration of her application to amend the judgment in this action to include relief against the Bayview defendants. As a result, Ms. Lodge does not oppose the Bayview defendants' request to correct the Clerk's Judgment dated and entered on August 2, 2012 for attorneys fees and costs to the extent that such Judgment was entered against the Bayview defendants.

Respectfully submitted,



J. Christopher Jensen